

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

STEPHEN MOORE,

Plaintiff,

v.

Civil Action 2:10-cv-00595  
Judge Peter C. Economus  
Magistrate Judge E.A. Preston Deavers

STATE OF OHIO, DEPARTMENT  
OF REHABILITATION &  
CORRECTION, *et al.*,

Defendants.

**ORDER**

This matter is before the Court for consideration of the November 21, 2011 Report and Recommendation of the Magistrate Judge. (ECF No. 45.) The Magistrate Judge recommended that the Court **GRANT** Defendants' Motions for Summary Judgment. (ECF Nos. 40, 43.)

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Order & Report & Recommendation 9, ECF No. 45.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the

Defendants Motions for Summary Judgment are **GRANTED**. (ECF Nos. 40, 43.) The Clerk is **DIRECTED** to remove this action from the Court's pending case list.

**IT IS SO ORDERED.**

/s/ Peter C. Economus - December 14, 2011  
**UNITED STATES DISTRICT JUDGE**